

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF

MONDAY, FEBRUARY 28, 1983

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 2:08 p.m. Deputy Mayor Cleator adjourned the meeting at 2:42 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Vacant.
 - (1) Council Member Mitchell-excused by R-258038 (vacation).
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksma-excused by R-258039 (City business).
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
Mayor-vacant.
Council Member Mitchell-not present.
Council Member Cleator-present.
Council Member Golding-not present.
Council Member Jones-present.
Council Member Struiksma-not present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez- present.

ITEM-10: INVOCATION

Invocation was given by Reverend John Watson of the San Diego Faith Community Church.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Martinez.

FILE LOCATION:

MINUTES

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

01/24/83 P.M.

01/25/83 A.M. and P.M.

01/31/83 P.M.

02/01/83 A.M. and P.M.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A026-030).

MOTION BY JONES TO APPROVE. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-not present, Jones-yea, Struiksma- not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-50:

19830228

Two actions relative to fire hydrant and fire lane parking violations and fines:

Subitem-A: (O-82-245) ADOPTED AS ORDINANCE O-15907 (New Series)

Amending Chapter VIII, Article 6 of the San Diego Municipal Code by adding Section 86.09.04 relating to fire apparatus access roadways.

Subitem-B: (O-83-139) ADOPTED AS ORDINANCE O-15908 (New Series)

Amending Chapter VIII, Article 2 of the San Diego Municipal Code by amending Section 82.07 relating to parking violations. (Introduced on 2/14/83. Council voted 6-0. Districts 1 and 5 not present. Mayor-vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-51: (O-83-128) ADOPTED AS ORDINANCE O-15909 (New Series)

Amending Chapter IX, Article 1, of the San Diego Municipal Code by amending Sections 91.02.1807 and 91.02.5103, relating to requirements for elevators in highrise buildings.

(Introduced on 2/14/83. Council voted 6-0. Districts 1 and 5 not present. Mayor vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-52: (O-83-143) ADOPTED AS ORDINANCE O-15910 (New Series)

Incorporating a portion of a resubdivision of Fanita Rancho, Map-1703; a portion of Lot 73, Rancho Mission San Diego, S.C.C. 348, Map-330; and a portion of Lot 70, Rancho Mission Subdivision, S.C.C. 15190 (approximately 508 acres) located northerly of Mission Gorge Road, in the Tierrasanta and Navajo Community Plan areas, into Zones A-1-10 and R-1-40.

(Case-82-0663. District-7. Introduced on 2/15/83. Council voted 7-0. District 1 not present. Mayor-vacant.)

FILE LOCATION:

ZONE 2/28/83

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-53: (O-83-147) ADOPTED AS ORDINANCE O-15911 (New Series)

Amending Section 1 of Ordinance No. O-15412 (New Series),

adopted January 5, 1981, incorporating a portion of Pueblo Lots 1279, 1291, 1292, 1294, 1295, 1300 and 1301, Miscellaneous Map-36, into R-2, R-2A and R-3 Zones; extension of time to February 4, 1986.

(Case-82-0171/EOT1. Located west of Regents Road and south of Nobel Drive. University Community Plan. District-1. Introduced on 2/14/83. Council voted 6-0. Districts 1 and 5 not present. Mayor-vacant.)

FILE LOCATION:

ZONE 2/28/83

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez- yea, Mayor-vacant.

* ITEM-54: (O-83-146) ADOPTED AS ORDINANCE O-15912 (New Series)

Amending Section 1 of Ordinance O-15408 (New Series), adopted January 5, 1981, incorporating a portion of Sections 27, 28, 33 and 34, Township 14 South, Range 2 West, S.B.B.M., into R-1-6 Zone; extension of time to February 4, 1986.

(Case-82-0684/EOT1. Located north of Pomerado Road between I-15 and Semillon Boulevard. Scripps Ranch Community Plan Area. District-5. Introduced on 2/14/83. Council voted 6-0. Districts 1 and 5 not present. Mayor-vacant.)

FILE LOCATION:

ZONE 2/28/83

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez- yea, Mayor-vacant.

* ITEM-55: (O-83-152) ADOPTED AS ORDINANCE O-15913 (New Series)

Incorporating the Hillsborough East Annexation into Council District 4.

(Introduced on 2/14/83. Council voted 6-0. Districts 1 and 5 not present. Mayor-vacant.)

FILE LOCATION:

ANNEX Hillsborough East Annexation

COUNCIL ACTION: (Tape location: A059-064).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-100:

19830228

Three actions relative to awarding contracts:

Subitem-A: (R-83-1239) ADOPTED AS RESOLUTION R-258016

Dion International Trucks, Inc. for the purchase of International Harvester truck repair parts as may be required for a period of one year beginning February 1, 1983 through January 31, 1984 for an estimated cost of \$140,000, including tax and terms, with an option to renew contract for an additional one-year period under the same terms and conditions.

Subitem-B: (R-83-1240) ADOPTED AS RESOLUTION R-258017

Whited Cemetery Service for the purchase of burial enclosures as may be required for a period of one year beginning April 1, 1983 through March 31, 1984 for a total estimated cost of \$31,879.50, including tax and terms, with an option to renew the contract for two additional one-year periods with price escalation not to exceed 10 percent of prices in effect at the end of each year. BID-4901

Subitem-C: (R-83-1241) ADOPTED AS RESOLUTION R-258018

3M Company for the purchase of twenty-four Opticom traffic signal pre-emption emitters for a total cost of \$27,882.84, including tax and terms; authorizing the expenditure of not to exceed \$27,882.24 from Capital Outlay Fund 30245, CIP-33-066, Opticom Communications Traffic Control System.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A065-070;A071-099).

CONSENT MOTION BY GOTCH TO ADOPT SUBITEMS B AND C. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

MOTION BY MARTINEZ TO ADOPT SUBITEM A. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-101: (R-83-1242) ADOPTED AS RESOLUTION R-258019

Inviting bids for the construction of Linda Vista Road and Ulric Street Bikeways on Specifications Document No. 118245; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer within Local Transportation Fund 39005, \$36,700 from CIP-58-039, Ulric Street Bikeway to CIP-58-038, Linda Vista Road Bikeway; authorizing the expenditure of not to exceed \$89,100 from Local Transportation Fund 39005, CIP-58-038, Linda Vista Road Bikeway for providing funds for said project and related costs and authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-4951

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT:

This project provides for construction of a Class 2 (exclusive lane) bikepath on Linda Vista Road between Mesa College Drive and Aero Drive, and on Ulric Street between Friars Road and Tait Street. From Tait Street to Linda Vista Road, Ulric Street is too constricted to provide room for construction of a Class 2 bikeway. A Class 3 bike route (signed only) will be provided on each side of Ulric Street on this portion. The improvements include modification of the traffic signal system and removal of existing islands at the intersection of Linda Vista Road and Mesa College Drive and the removal and restriping of existing traffic lanes on both Linda Vista Road and Ulric Street. Linda Vista Road bikeway and Ulric Street bikeways were combined in one project because of their proximity and similarity, and in order to obtain a more favorable bid. This project will provide a needed intercommunity route between the existing bikeroutes on Friars Road and Aero Drive. These bicycle lanes will eliminate a critical bike route gap that presently exists between the Serra Mesa and Linda Vista communities. In addition, bicycle lanes will be installed that will replace an existing combination bicycle/pedestrian sidewalk facility. This will bring the bike route into conformance with the CALTRANS Bikeway Standard.

FILE LOCATION:

W.O. 118245

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-102:

19830228

Two actions relative to Logan Heights Alleys and Sewer Main Replacement Contract No. 1 - Municipal Improvement Act of 1911: (See City Manager Report CMR-83-55. Southeast San Diego Community Area. District-4.)
Subitem-A: (R-83-1288) ADOPTED AS RESOLUTION R-258020

Authorizing the City Manager to initiate a Resolution of Intention for the improvement of Logan Heights Alleys and Sewer Main Replacement Contract No. 1 under the provisions of the Housing and Urban Development Block Grant Program B-82-MC-06-0542, the San Diego Municipal Code and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for the improvements, together with estimates of the cost and expenses of the above project, and to furnish Council with a description of the district to be included in the assessment for the work and improvements mentioned above.
Subitem-B: (R-83-1255) ADOPTED AS RESOLUTION R-258021

Resolution of Intention for the improvement of Logan Heights Block Grant Alleys and Sewer Main Replacement Contract No. 1 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911; setting the date and time of a public hearing.

FILE LOCATION: STRT D-2240

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-103: (R-83-1251) ADOPTED AS RESOLUTION R-258022

Approving the acceptance by the City Manager of that deed of San Diego Gas and Electric Company granting to City certain overhead electrical easement rights in a portion of the Northwest Quarter of the Southeast Quarter of Section 32, Township 14 South, Range 2 West, S.B.B.M., City-owned area; authorizing the execution of a deed granting to San Diego Gas and Electric an easement for overhead electrical facilities in a portion of the Northwest Quarter of the Southeast Quarter of

Section 32, Township 14 South, Range 2 West, S.B.B.M.,
City-owned area.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER REPORT:

San Diego Gas and Electric has requested this easement exchange to relocate a portion of an existing transmission line on City-owned Miramar Reservoir land on Scripps Lake Drive. The purpose of the exchange is to accommodate the building site of a new development, Scripps Terrace Business Park, located adjacent to and westerly of the City's property. The relocation is at the developer's expense and involves restringing an overhead line so that it is closer to the northerly right-of-way line of Scripps Lake Drive. The new alignment does not adversely affect the City's property. SDG&E has executed a quitclaim deed for a portion of the existing easement, which the City granted in 1979. The proposed easement contains approximately 4,608 square feet, while the quitclaimed easement contains about 4,728 square feet.

FILE LOCATION:

DEED F-1775

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

*** ITEM-104: (R-83-1278) ADOPTED AS RESOLUTION R-258023**

Approving the acceptance by the City Manager of that street easement deed of North City 1982 Ltd., granting to City an easement for public street purposes in a portion of Parcel 1 of Parcel Map-12086; dedicating said land as and for a public street, and naming the same Carmel Valley Road.

(Located southwesterly of Black Mountain Road and Carmel Valley Road. District-8.)

FILE LOCATION:

DEED F-1776

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

*** ITEM-105:**

19830228

Two actions relative to the dedication of public alleys:
(Del Mar Heights and Southeast San Diego Community Areas.
Districts-1 and 4.)
Subitem-A: (R-83-1276) ADOPTED AS RESOLUTION R-258024

Dedicating a portion of Lot 28 in Block 30 of Del Mar
Heights, Map-157 as and for a public alley.
Subitem-B: (R-83-1277) ADOPTED AS RESOLUTION R-258025

Dedicating a portion of the southwesterly 1/4 of Pueblo Lot
1152 as and for a public alley.

CITY MANAGER REPORT:

This is a dedication of two alleys. One is located at the
intersection of Del Mar Heights Road and Condesa Drive, and the
other is located between Commercial, Webster, 32nd, and Bancroft
Streets in Southeast San Diego. Funds were allocated for the
acquisition of two small parcels of land adjoining two public
alleys, and 1911 Act assessment districts are scheduled for the
grading and paving of both alleys. Acquisition has now been
completed and these parcels should be dedicated for public
right-of-way purposes by Council resolution.

FILE LOCATION: Subitem A DEED F-1777; Subitem B DEED F-1778

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by
the following vote: Mitchell-not present, Cleator-yea, Golding-yea,
Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor-vacant.

ITEM-106: (R-83-1290) ADOPTED AS RESOLUTION R-258026

Accepting the generous gift of six concrete trash containers
by Point Loma Village Beautiful to the City of San Diego for
the sole and exclusive use in the Point Loma Area; commending
and expressing on behalf of the City Council and the citizens
of the City their gratitude to the officers and members of
Point Loma Village Beautiful for this act of generosity.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A101-118).

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the
following vote: Mitchell-not present, Cleator-yea, Golding-yea,
Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor-vacant.

* ITEM-107: (R-83-1287) ADOPTED AS RESOLUTION R-258027

Authorizing the transfer of \$18,680 from General Fund Unallocated Reserve to the General Fund Allocated Reserve; authorizing the expenditure of the sum of \$18,680 from General Fund Allocated Reserve, for the purpose of providing maintenance services and related costs for Areas 1 and 2 of the Bay Terraces Landscape Maintenance District for the period of February 1, 1983 to June 30, 1983.

(See City Manager Report CMR-83-56. Paradise Hills Community Area. District-4.)

FILE LOCATION:

STRT M-65

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-108: (R-83-1231) ADOPTED AS RESOLUTION R-258028

Authorizing the execution of an agreement with Rincon del Diablo Municipal Water District for an exchange of services with Rincon Fire Departments.

CITY MANAGER REPORT:

Fire protection for the San Pasqual Valley is provided by Engine Company 33 which is stationed in Rancho Bernardo. Because of the considerable distance, its response time to the Valley is one of the longest within City boundaries. Since the Valley consists mainly of agricultural parcels, it is unlikely that the area's population will justify an engine company in the foreseeable future. The automatic aid agreement between the City of San Diego and the Rincon del Diablo Water District Fire Departments, currently in effect, provides that the closest engine and/or truck responds to a fire or emergency incident regardless of boundaries. This agreement has caused Rincon del Diablo to become the first response company to the Valley. In order to offset Rincon del Diablo's expenses for the first response, the City of San Diego is to provide dispatching services at no charge. The City currently provides dispatching for a fee to neighboring jurisdictions based on a formula approved by the City Council in August, 1980. Based on this formula the Rincon fee would be \$4,375 annually. However, because Rincon has less than 300 runs per year, the calls can be absorbed into the City's system without incurring additional expense.

FILE LOCATION:

WATER Rincon del Diablo Municipal Water District

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-109: (R-83-1306) ADOPTED AS RESOLUTION R-258029

Amending the San Diego Regional Employment and Training Consortium 1983 Systems Support Services Budget in accordance with the proposed first amendment.

CITY MANAGER REPORT:

On October 4, 1982 the Policy Board of the Regional Employment and Training Consortium (RETC) authorized the reservation in the RETC Administrative Cost Pool for Federal FY'83 of \$230,000 for Systems Support Services. RETC has subsequently received an invoice from Prime, Inc. for monthly charges for computer maintenance services to the RETC in-house computer that were provided by Prime, Inc. from August, 1981 through December, 1982. The new FY'83 contract with Prime, Inc., covers the final three months of this period, but it does not cover the charge for services during the fourteen months of Federal Fiscal Years 1981 and 1982. Since the funding for FY'81 and FY'82 grants has been closed, RETC is requesting that an additional \$27,440 of FY'83 funds be allocated to Systems Support Services to cover this MIS services expense.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-110: (R-83-1228) ADOPTED AS RESOLUTION R-258030

Approving Change Order No. 77 to Point Loma Wastewater Treatment Facilities Accelerated Projects, Construction Contract C-2, Schedule A: Scum Removal and Odor Removal Facilities and Sedimentation Basins; authorizing the expenditure of not to exceed \$40,248 from Sewer Revenue Fund 41506 for the purpose of executing Change Order No. 77.

(Harbor Community Area. District-2.)

CITY MANAGER REPORT:

Point Loma Accelerated Projects Construction Contract C-2, Schedule A, consists of the construction of scum removal and odor removal facilities, improvements to the existing sedimentation

basins and construction of Sedimentation Basins No. 7 and No. 8. Scum removal equipment to be installed under this contract was supplied under a separate equipment contract, Contract E-2-A-B. As part of the equipment contract, straight brackets were supplied to be installed on the walls of the six existing sedimentation basins. The existing walls were assumed to be straight; however, during installation, it was found that the walls actually contained a four-inch taper and would not accommodate a fixed, straight bracket. Therefore, it was necessary to revise the bracket installation and to provide additional grouting to accommodate the tapered walls on all six sedimentation basins. Change Order No. 77 is for \$40,248 and covers all costs associated with the installation of the straight brackets on the existing tapered walls.

FILE LOCATION:

CONT C.E. Wylie Construction Co.

COUNCIL ACTION: (Tape location: A065-070).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-150: (R-83-1311) ADOPTED AS RESOLUTION R-258015

Adopting the recommendations of the City Manager and Planning Director regarding the establishment of a State/regional intergovernmental review process to replace the A-95 process, with SANDAG as the designated review agency, as set forth in City Manager Report CMR-83-35 to the Council Committee on Rules.

(See City Manager Report CMR-83-35 and Director of Intergovernmental Relations Department Report IRD-83-8.)

COMMITTEE ACTION: Reviewed by RULES on 2/7/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 3 not present. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A121-149).

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-151: (R-83-1312) ADOPTED AS RESOLUTION R-258031

Declaring opposition to SB 142 (Ellis) pursuant to the

recommendations of the Director of the Intergovernmental Relations Department as contained in Report IRD-83-7 to the Council Committee on Rules; requesting the Planning Director to look into the regulation of obscene on-premise signs, with particular emphasis on the size thereof.

(See Director of Intergovernmental Relations Department Report IRD-83-7.)

COMMITTEE ACTION: Initiated by RULES on 2/7/83. Recommendation to adopt the Resolution in opposition. Districts 2, 5 and 7 voted yea. District 3 not present. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A150-167).

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-152: (O-83-46 Rev.) INTRODUCED, TO BE ADOPTED MARCH 14, 1983

Introduction of an Ordinance amending Chapter VI, Article 3 of the San Diego Municipal Code by amending Section 63.02.8 relating to prohibiting glass containers and littering in City parks.

(See City Manager Report CMR-82-407.)

COMMITTEE ACTION: Reviewed by PFR on 1/5/83. Recommendation to introduce the Ordinance. Districts 1, 4, 6, 7 and 8 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A233-273).

MOTION BY GOTCH TO INTRODUCE. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-200: (R-83-1282) ADOPTED AS RESOLUTION R-258032

Vacating Amboy Avenue adjacent to Lots 334, 335, 339, 340, 352, 353, 361- 384, 387, 401-403, Mt. Albertine Avenue adjacent to Lots 332-338, 341-352, 384- 386, Thornwood Street adjacent to Lots 354-360, and the Alley adjacent to Lots 387-401 in Cambridge Colony Unit 1, Map-9620, all within the Genesee East Subdivision (TM-02-232) boundaries, under the procedure for the summary vacation of streets where a portion of a street or highway lies within property under one ownership and does not

continue through such ownership or end touching property of another; declaring that this resolution shall not become effective unless and until the Genesee East Subdivision has been approved by Council action; declaring that in the event that the above condition cannot be met, this resolution shall become void and of no further effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(Clairemont Mesa Community Area. District-5.)

CITY MANAGER REPORT:

The subject streets and alley were dedicated by subdivision in 1979. The abutting property owners have petitioned for the vacation to resubdivide and develop their property as the Genesee East Subdivision, a Planned Residential Development (PRD-256). The street and alley improvements required by the Cambridge Colony Unit 1 Subdivision were not constructed; therefore, the subject rights-of-way are unimproved and contain no public facilities.

The Genesee East Subdivision (TM-02-232) dedicates a new street system which provides rights-of-way for traffic circulation and access to all properties within the subdivision. The street improvements for these rights-of-way will be bonded for and constructed with the proposed subdivision. Staff has concluded that the rights-of-way to be vacated are no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the Genesee East Subdivision Map (TM-02-232) being approved and recorded. This action was processed in accordance with the provisions of Council Policy 600- 15.

FILE LOCATION:

DEED F-1779, STRT J-2465

COUNCIL ACTION: (Tape location: A276-355).

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-nay, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-201: (R-83-1310) ADOPTED AS RESOLUTION R-258033

Strongly urging the Department of Defense to reinstate funding for military family housing in San Diego and expressing opposition to this budget cut; authorizing and directing the City Manager and Planning Director to provide any assistance that may be requested by the SANDAG Military Housing Task Force and the Department of Defense in acquiring appropriate housing for military families.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A170-230).

MOTION BY MURPHY TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-S400:

19830228

Two actions relative to the final subdivision map of Wateridge II, a 3-lot subdivision located easterly of Vista Sorrento Parkway and Lusk Boulevard:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-83-1298) ADOPTED AS RESOLUTION R-258034

Authorizing the execution of an agreement with Equidon-Sorrento and the Great-West Life Assurance Company for the improvement of Vista Sorrento Parkway.

Subitem-B: (R-83-1297) ADOPTED AS RESOLUTION R-258014

Approving the final map.

CITY MANAGER REPORT:

As a condition of map approval the developers are required to enter into an agreement with the City, for the improvements of Vista Sorrento Parkway. Presently Vista Sorrento Parkway is being improved as offsite work in connection with the subdivision of Sorrento Corporate Park. Vista Sorrento Parkway is being improved to a standard satisfactory for the immediate future. When the street reaches a capacity that requires full width improvements the agreement provides that the developer will complete the work. The agreement provides that the developer will provide the ultimate full width improvements of Vista Sorrento Parkway prior to the sixth anniversary date of the agreement or at some earlier date when required by the City. The agreement also requires that the developer provide a surety acceptable to the City to insure completion of construction.

FILE LOCATION: SUBD Wateridge II

COUNCIL ACTION: (Tape location: A065-070)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

* ITEM-S401: (R-83-1230) ADOPTED AS RESOLUTION R-258035

Declaring George J. Nicholas and Penelope Nicholas, subdividers of the Mira Mesa Mini Mall, to be in default under subdivision improvement agreement Document No. 758518; authorizing and directing the City Manager to complete the improvements required in accordance with the terms of the subdivision agreement.

(Located at the southeast corner of Mira Mesa Boulevard and Black Mountain Road. Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT:

The Mira Mesa Mini Mall is located at the southeast corner of Mira Mesa Boulevard and Black Mountain Road. The Subdivision Improvement Agreement, Document No. 758518, expired on March 2, 1979. Approximately 99 percent of the required work has been completed. The work remaining includes removal and replacement of 260 square feet of broken sidewalk and construction of concrete pads around 3 fire hydrants.

Repeated attempts to get the subdivider to complete the work have been unsuccessful. In accordance with Council Policy 600-21, it is recommended that default action be taken. It is necessary to declare the agreement in default before the City can take any action against the surety. If the surety does not initiate the completion of the work within 30 days, the City Attorney's Office will be requested to take appropriate legal steps to assure completion of the work, either by the developer or the surety.

FILE LOCATION:

SUBD Mira Mesa Mini Mall

COUNCIL ACTION: (Tape location: A065-070

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S402: (R-83-1344) ADOPTED AS RESOLUTION R-258036

Authorizing the City Manager to submit a Revised Statement of Objectives and Projected Use of 1983 Community Development Block Grant Funds ("Revised Required Statement") in the amount of \$12,825,100, including appropriate certifications and assurances to the United States Department of Housing and Urban Development (HUD), under Title I of the Housing and Community Development Act of 1974, as amended in 1981.

(See City Manager Report CMR-83-40, PSS Committee Consultant Analysis PSS- 83-6, and PSS Committee Consultant Memorandum to

the Deputy Mayor and City Council dated February 25, 1983.)
COMMITTEE ACTION: Reviewed by PSS on 2/23/83. Recommendation to adopt the Resolution. Districts 3, 4, 6 and 8 voted yea. District 1 not present.

CITY MANAGER REPORT:

On November 15, 1982, the City Council approved the original submittal for 1983 CDBG funds. Subsequent to this submittal, the City was notified by the Department of Housing and Urban Development (HUD) the City's Entitlement amount has been increased by \$1,171,000.

On February 9 and February 23, 1983, the Public Services and Safety Committee considered proposals for use of this additional money. The recommendations were as follows:

Mid-City Revitalization	\$200,000
Copley YMCA	14,000
Encanto Park	3,000
North Park Adult Center	15,000
Southeast Economic Dev. Corp.	180,000
S.D. Housing Commission	60,000
Neighborhood House Sr. Center	123,780
Barrio Logan Sidewalks	55,000
25th Street Revitalization	190,000
Union of Pan Asian Comm.	26,275
Chicano Health Center	100,000
San Ysidro Boy's Club	75,000
Gaslamp Quarter	32,500
Normal Heights Park Dev.	11,500
YWCA-East Center	4,869
Contingencies	80,076*

*\$75,000 earmarked for Street Youth Program.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A357-423).

MOTION BY GOLDING TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S403: (R-83-1343) ADOPTED AS RESOLUTION R-258037

Establishing, within the funds of the City of San Diego, a fund to be entitled the "Officer Kirk Leland Johnson Reward Fund" to serve as a repository of donated money, the specific purpose of which is to be paid as a reward for information leading to the arrest and conviction of Officer Johnson's assailant(s); authorizing the City Manager, acting on behalf of

the City of San Diego and the Police Department, to accept donations for a period not to exceed 180 days and transmit such donations to the City Treasurer for deposit into the Reward Fund; authorizing the City Manager, with the assistance and advice of the Chief of Police, to establish procedures for the payment of all money collected as a reward to include, but not limited to: a) paying a reward to any person or persons providing pertinent information leading to the arrest and conviction of the assailant(s); and b) determining the proper division of reward money based on the relevant value of the information in the event more than one person provides such information as to lead to an arrest and conviction; declaring that the Reward Fund established herein shall exist for a period of five years, commencing with the adoption of this resolution, or until payment of the reward, whichever occurs first; declaring that in the event a reward is not paid after five years, funds collected will be returned to those persons making such donations; however, after exhausting all reasonable efforts to return donations, any money remaining will be placed in the General Fund or disposed of in a manner to be determined by the City Council.

(See City Manager Report CMR-83-73.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A425-450).

MOTION BY GOLDING TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S404:

19830228

(Continued from the meeting of February 22, 1983 at the City Manager's request.)

Two actions relative to the improvement of West Bernardo Drive:

(See City Manager Report CMR-83-45. Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-83-1232) CONTINUED TO MARCH 7, 1983

Authorizing the execution of an agreement with Avco Community Developers, Inc. to provide improvements of West Bernardo Drive.

Subitem-B: (R-83-1233) CONTINUED TO MARCH 7, 1983

Authorizing the use of City Forces to do the work to reconstruct an existing water line serving Rancho Bernardo Community Park as required in connection with the improvements of West Bernardo Drive; cost of said work shall not exceed \$19,500; authorizing the expenditure of \$19,500 from CIP-29-349 Capital Outlay Fund 30245 (Rancho Bernardo Community Park, Phase I) for said project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A032-057).

MOTION BY MARTINEZ TO CONTINUE FOR ONE WEEK AT THE CITY MANAGER'S

REQUEST. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-not present Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S405: (R-83-1199) CONTINUED TO MARCH 7, 1983

(Continued from the meeting of February 22, 1983 at the City Manager's request.)

Approving the transfer of Capital Outlay Funds in the amount of \$530,400 identified in CIP-52-257 to the San Diego Redevelopment Agency for redevelopment projects in the Centre City Area; authorizing and directing the City Auditor and Comptroller to transfer such funds to the Agency; such contributions to the Agency are to be recorded as interest bearing loans to the Agency, repayable from tax increment revenues or other revenues; in the event that the Agency desires to issue bonds, notes, or other instruments of indebtedness of the Agency to carry out these redevelopment projects, then any indebtedness of the Agency to the City, including any interest accrued thereon, shall be deemed not to be a first pledge of tax increment allocations received by the Agency pursuant to Health and Safety Code Section 33670; any indebtedness of the Agency to the City, including any interest accrued thereon shall be subordinate to any pledge of tax increments to bondholders or the holders of other such instruments of indebtedness.

(Centre City Community Planning Area. District-8.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A032-057).

MOTION BY MARTINEZ TO CONTINUE FOR ONE WEEK AT THE CITY

MANAGER'S

REQUEST. Second by Murphy. Passed by the following vote:
Mitchell-not present, Cleator-yea, Golding-not present Jones-yea,
Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor-vacant.

ITEM-UC-1: (R-83-1367) ADOPTED AS RESOLUTION R-258038

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Bill Mitchell from City Council
meeting on February 28, 1983, and from PF&R Committee meeting
on March 2, 1983, for the purpose of vacation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A451-490).

MOTION BY JONES TO ADOPT. Second by Golding. Passed by the
following vote: Mitchell-not present Cleator-yea Golding-yea
Williams-yea Struiksmma-not present Gotch-yea Murphy-yea
Killea-yea Mayor-vacant.

ITEM-UC-2: (R-83-1368) ADOPTED AS RESOLUTION R-258039

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Ed Struiksmma from the regular
Council meetings of Monday, February 28, 1983, and Tuesday,
March 1, 1983, for the purpose of conducting City business.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A451-490).

MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the
following vote: Mitchell-not present Cleator-yea Golding-yea
Williams-yea Struiksmma-not present Gotch-yea Murphy-yea
Killea-yea Mayor-vacant.

ITEM-UC-3: (R-83-1369) ADOPTED AS RESOLUTION R-258040

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Susan Golding from the March 1,
1983, Council meeting for the purpose of vacation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A451-490).

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-not present Cleator-yea Golding-yea Williams-yea Struiksma-not present Gotch-yea Murphy-yea Killea-yea Mayor-vacant.

ADJOURNMENT:

By common consent, Deputy Mayor Cleator adjourned the meeting at 2:42 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: A495-500).